



October 4, 2023

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Via ECF

Hon. Kenneth M. Karas
United States District Judge
United States District Court for the
Southern District of New York
300 Quarropas Street, Chambers 533
White Plains, NY 10601-4150

Re: *Ariel Dan Barkai v. George Mendez, et al.*, No. 21-CV-04050-KMK-
JCM
File No: 12129.00319

Dear Judge Karas:

We represent the defendants George Mendez and Michael Baisley in this matter. We write regarding the revised opposition memorandum filed by Plaintiff.

Defendants have no objection to Plaintiff submitting a 25-page memorandum in opposition to the Defendants' motion for summary judgment and a 5-page memorandum in support of a cross-motion for summary judgment provided the memoranda comply with the Courts' rules. However, we note that while Plaintiff asserts that his filing now comports with the 25-page limit, DE #175, he has not confirmed that he is compliant with the court's Individual rules, which require that a memorandum be 12-point font, double-spaced, with one-inch margins.

As Plaintiff's opposition is submitted in pdf format, it is difficult to assess formatting compliance, and Defendants are not eager to belabor the point, but converting Plaintiff's revised memorandum of law to Word format results in a document with less than 12-point font and over 11,000 words (over 9,000 words in the opposition), which would indicate that it is not 12-point font, double-spaced with 1-inch margins. Converting Plaintiff's original 39-page memorandum of law to Word format indicates that it contained over 15,000 words (over 13,500 words in the opposition portion), much longer than a standard 25-page, double-spaced, 12-point font document. Accordingly, Defendants request that Plaintiff confirm that his revised memorandum complies with all of the Court's requirements.

Given that even Plaintiff's revised memorandum appears to potentially be oversized, Defendants

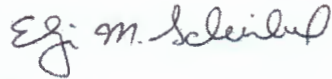
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repeat their request that their reply papers be extended from October 16, 2023 to October 30, 2023.

Respectfully submitted,

Wilson Elser Moskowitz Edelman & Dicker LLP

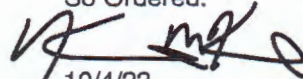


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cc: All parties via ECF

Granted. Defendants have until 10/30/23 to file their
reply papers.

So Ordered.


10/4/23